

REMARKS

In the October 4, 2007 Final Office Action issued for the above application, the Examiner noted that claims 1-20 and 29-33 were pending in the application. By this amendment, claims 1, 13, 29, and 30 have been amended and claim 31 has been cancelled. Therefore, claims 1-20, 29-30, and 32-33 are pending in the application. The amendments to the claims are fully supported by the specification and do not add any new matter to the application.

In the Final Office Action, the Examiner: (1) rejected claims 1-6, 9-16, 19-20, and 29-33 under 35 USC §102(e); and (2) rejected claims 7-8 and 17-18 under 35 USC §103(a). Applicant responds to the Examiner's rejections below.

Interview Summary

Applicant would like to thank Examiners Joseph and Borissov for the courtesies extended during the interview conducted between Examiners Joseph and Borissov and Gregory M. Smith on December 12, 2007. The rejections made by Examiner Joseph in the Final Office Action and proposed claim amendments to overcome the rejections were discussed. No agreement was reached as to any of the pending claims in the application and the proposed claims amendments discussed are incorporated into the claims above.

Claim Rejections – 35 USC §102(e)

In the Final Office Action, the Examiner rejected claims 1-6, 9-16, 19-20, and 29-33 under 35 USC §102(e) as being anticipated by US Pre-Grant Publication No. 2004/0078252 (Daughtrey). Applicant respectfully traverses this rejection.

As for independent claims 1, 13, and 29, Daughtrey does not disclose or suggest: (1) “simultaneously providing a plurality of flexible date search options to a user, the plurality of flexible date search options comprising an option to enter a departure date, a return date, and a

flexible time interval corresponding to at least one of the departure date and the return date”; or (2) “requesting travel date information from the user based on the search option selection” as recited in independent claims 1, 13, and 29, as amended.

First, Daughtrey does not disclose or suggest “simultaneously providing a plurality of flexible date search options to a user, the plurality of flexible date search options comprising an option to enter a departure date, a return date, and a flexible time interval corresponding to at least one of the departure date and the return date.” As can be seen in Fig. 2 and paragraph [0024] of Daughtrey, the system in Daughtrey only provides one flexible date search option to the user (pane 41e), which allows a user to search only based on an earliest departure date and a length of stay. There is nothing in Daughtrey suggesting the provision of other flexible date search options. In the Final Office Action, the Examiner appears to allege that the **earliest departure date** drop down menu and the **length of stay** drop down menu are “the plurality of flexible date search options.” While Applicant does not agree with the Examiner’s assertion, even if the **earliest departure date** drop down menu and the **length of stay** drop down menu were considered “a plurality of flexible date search options,” these drop down menus do not include the option enter a return date or a flexible time interval corresponding to the departure date or the return date. They only include the option to enter a departure date and a length of stay.

Second, Daughtrey does not disclose or suggest “requesting travel date information from the user based on the search option selection.” As discussed above, Applicant does not believe that Daughtrey discloses providing a plurality of flexible date search options to a user, therefore, Daughtrey cannot disclose or suggest receiving a search option selection or requesting travel date information from the user based on the search option selection. However, as discussed

above, in the Final Office Action, the Examiner appears to allege that the **earliest departure date** drop down menu and the **length of stay** drop down menu are “the plurality of flexible date search options” and when the user clicks the “GO” button the system receives a search option selection (e.g. the earliest departure date and length of stay) from the user. While Applicant does not agree with the Examiner’s assertion, even if the earliest departure date and length of stay were a “search option selection,” the system in Daughtrey does not request any travel date information from the user based on this information. As recognized by the Examiner, once the user enters the earliest departure date and the length of stay and clicks the “GO” button, the system sends a query to the travel planning system. The system does not request any further information based on the information entered (see ¶[0032]).

Therefore, Applicant respectfully submits that Daughtrey does not disclose or suggest all of the elements recited in independent claims 1, 13, and 29 and, therefore, independent claims 1, 13, and 29 are patentable over Daughtrey. Claims 2-6 and 9-12 depend from independent claim 1 and claims 14-16 and 19-20 depend from independent claim 13 and for the reasons stated above are also patentable over Daughtrey. Thus, Applicant respectfully requests that this rejection be withdrawn.

As for independent claim 30, Daughtrey does not disclose or suggest “receiving travel date information from the user, the travel date information comprising a trip date range, the trip date range comprising a user specified earliest departure date and a user specified latest return date, and a trip length” as recited in independent claim 30, as amended.

As discussed above, the only travel date information received from the user in Daughtrey is an earliest departure date and a trip length (see Fig. 2 and ¶¶[0025]-[0033]). There is no

disclosure or suggestion in Daughtrey of receiving a user specified earliest departure date, *a user specified latest return date*, and a trip length from the user.

Therefore, Applicant respectfully submits that Daughtrey does not disclose or suggest all of the elements recited in independent claim 30 and, therefore, independent claim 30 is patentable over Daughtrey. Claims 32-33 (claim 31 has been cancelled) depend from independent claim 30 and for the reasons stated above are also patentable over Daughtrey. Thus, Applicant respectfully requests that this rejection be withdrawn.

Claim Rejections – 35 USC §103(a)

The Examiner rejected claims 7-8 and 17-18 under 35 USC §103(a) as being unpatentable over Daughtrey in view of US Patent No. 6,304,850 (“Keller”). Applicant respectfully traverses this rejection.

Claims 7-8 depend from independent claim 1 and claims 17-18 depend from independent claim 13. As discussed above for independent claims 1 and 13, Daughtrey does not disclose or suggest: (1) “simultaneously providing a plurality of flexible date search options to a user, the plurality of flexible date search options comprising an option to enter a departure date, a return date, and a flexible time interval corresponding to at least one of the departure date and the return date”; or (2) “requesting travel date information from the user based on the search option selection” as recited in independent claims 1 and 13, as amended. In addition, Keller does not disclose or suggest these claims elements.

First, Keller does not disclose or suggest “simultaneously providing a plurality of flexible date search options to a user.” In Keller, if the user indicates that their travel plans are flexible the user is only offered *one* flexible search option, the option to enter the number of flexible days around the departure or return date (see col. 3, ll. 21-29). There are no other options provided.

Second, Keller does not disclose or suggest “requesting travel date information from the user based on the search option selection.” Since Keller does not disclose or suggest providing a plurality of flexible date search options, Keller cannot disclose or suggest receiving a search option selection or requesting travel date information from the user based on the search option selection. Even if the number of flexible days around the departure or return date were considered “the search option selection,” which Applicant does not believe is correct, Keller does not disclose or suggest requesting any additional travel date information based on this information. As in Daughtrey, once this information is entered in Keller the system sends a query to the booking server. The system in Keller does not request any further information based on the information entered (see col. 3, ll. 21-37).

Therefore, even if such a combination as Daughtrey and Keller were made, which Applicant does not concede is proper, the purported combination still would not reflect all of the elements recited in independent claims 1 and 13 as neither Daughtrey nor Keller disclose or suggest: (1) “simultaneously providing a plurality of flexible date search options to a user, the plurality of flexible date search options comprising an option to enter a departure date, a return date, and a flexible time interval corresponding to at least one of the departure date and the return date”; or (2) “requesting travel date information from the user based on the search option selection.” Claims 7-8 depend from independent claim 1 and claims 17-18 depend from independent claim 13 and for the reasons stated above are also patentable over Daughtrey in view of Keller. Thus, Applicant respectfully requests that this rejection be withdrawn.

Conclusion

In view of the aforesaid, Applicant respectfully submits that claims 1-20, 29-30, and 32-33 are in condition for allowance and a Notice of Allowance for these claims is respectfully requested.

Respectfully submitted,

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